

The examiner complains that claim 9 is defective because it recites “a trajectory determined by the actuating arm”. The Applicant uses and the Examiner also uses in his rejection, the term “trajectory” in its most common form. As commonly used, even by this examiner, a trajectory is a path of an object moving through space. The path of the fruit dome is important. In particular, the linear portion of the trajectory means that the fruit to be juiced is pressed onto the reamer in a straight line, not a curved line with a single motion of the hinged actuating arm. The provision of a trajectory, as recited in claim 9, with both a curved portion and a linear portion is a direct result of the utilisation of the quadrilateral hinge that is abundantly described in the specification. The trajectory recited in claim 9 is a structural feature of the invention, that is, the actual trajectory of the fruit dome is a specific and mechanical limitation that can be observed and measured. There is no better word for “trajectory” than trajectory.

The examiner has rejected claims 1-3, 5 and 9 on the basis of the Clark and Schier references. However, the examiner has misconstrued Clark by deeming Clark’s “cap” to be actuating arm. It is not an arm. The Application disagrees that Clark has an actuating arm. In any event, the mechanism depicted in Clark is much less efficient than the mechanism recited in claim 1. Further, claim one now distinguishes from Clark even further by reciting a “handle” at one end of the arm. Clark has no such feature. In the Applicant’s claim 1, the actuating arm is recited as comprising the hinge at one end, the handle at the other end and the fruit dome being carried by an intermediate portion. This geometry, as recited in claim 1, provides the user with considerably greater leverage and thus requires considerably less force than the extraction process suggested in the Clark reference. The examiner is urged to clarify why he has chosen to call Clark’s cap 13 an actuating arm, given that Clark actually does have an actuating arm being item 52 in Figure 1. The examiner is urged to not invent new terminology for the purpose of fabricating a rejection. The examiner also concludes, with no apparent evidence whatsoever, that it would have been obvious to combine the simple static fully manual juice of Schier with the mechanical (but non-rotating) juice of Clark in order to arrive at a device with a rotating reamer. Neither Clark nor Schier use or suggest a rotating or motorised reamer.

With respect to the examiner's analysis of claims 4 and 6-8, the examiner considers Thackray to have a spike formed from the convergence of the primary ribs. The Applicant does not see a spike in any sense of the word. Why is the examiner stretching so hard to reject these claims?

Through the examiner's report, the examiner impermissably stretches and mischaracterises not only the prior art but the motivations for the present invention. The examiner has invented a number of irrelevant motivations that have nothing to do whatsoever with the present invention. For example, the examiner considers it to have been obvious to modify Clark to include the features of Schier because the examiner believes that it is well known in the art to adjust the shape of the reamer according to user preferences. With respect to the present invention, user preferences have nothing to do with it. The motivation for the invention recited in claims 1-3, 5 and 9 are to provide an efficient electric citrus press that is both easy and convenient to use as well as being adapted to handle small citrus such as lime, large citrus such as grape fruit and all of the citrus varieties inbetween these. The examiner is reminded that the use of a compound profile in a rotating reamer is complete unknown in the prior art. The Applicant is believed to be the first to appreciate the utility of a compound profile in a rotating reamer for the purpose of accommodating a wide range of citrus fruit sizes. It would seem as though the examiner has completely missed the point. Further the shapes and characteristics of hand reamers are generally unfit for the high pressures, faster speeds and continuous juicing actions associated with motorised presses.

In a second example, in paragraph 10 of the examiner's report, the examiner considers it would have been obvious to modify Clark and Schier to include the features of Thackray so that any seeds or pulp are filtered out via the secondary ribs. The Applicant has no idea what the examiner is talking about. The secondary ribs are not there to filter out seeds or pulp. The examiner is encouraged not to strive for greater inventiveness in the rejection than is contained in the underlying invention.


In a third and glaring example of the examiner's inventiveness, he construes the motivation for the four bar linkage, in paragraph 14 of the report, to be for the provision of the "greatest amount of flexibility". The flexibility of this linkage has absolutely nothing to do with the invention. The four bar linkage is provided to create a trajectory

having both a curved portion and a straight portion. The examiner is sincerely encouraged to read the specification. Because a four bar linkage is well established in the "mechanical arts" does not make it obvious to substitute a four bar linkage for any other linkage. The examiner has completely missed the point by reference to Hartenberg and the so-called a "crank-follower design". Again, the purpose of the Applicant's four bar linkage is to provide a trajectory of a very particular geometry. What on earth is the examiner talking about with respect to the Hartenberg reference? In any event, the Applicant both denies that any of the claims are obvious or that the examiner has provided, in even the slightest way, any reasonable motivation that would have brought a practitioner in this art to the subject matter of the currently pending claims.

The examiner suggests in paragraph 17 that the Applicant has yet to provide a structure for the trajectory feature. The examiner is incorrect. The trajectory is a feature. Its structure is described and the mechanism for accomplishing it is clear. This is not a "means plus function" issue. The term "trajectory" is a characteristic of the dome, not its function. The trajectory is the path of the moving fruit dome.

In conclusion, the examiner is urged to carefully consider the specification and the precise language of the claims. The examiner is also urged not to create, from thin air, motivations that either do not exist or for which there is no evidence. Favourable reconsideration is requested.

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Regards,  
  
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